

MAY 24 2005

VIA FACSIMILE NO.: (703) 872-9306  
Faxed On: May 24, 2005

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 09/938,039 Confirmation No.: 1958

Applicants: Karl W. Terry and Bryan S. Lembo

Filed: 08/23/2001

TC/AU: 1712

Examiner: M. S. Zimmer

Title: COMPOSITION FOR PROVIDING AN ABRASION  
RESISTANT COATING ON A SUBSTRATE WITH  
A MATCHED REFRACTIVE INDEX AND CONTROLLER  
TINTABILITY

Docket No.: 7124.015

Customer No.: 30589

Mail Stop Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b)**

Sir:

Douglas J. Sorocco, having a mailing address of P.O. Box 16370, Oklahoma City, Oklahoma 73113, in the County of Oklahoma and the State of Oklahoma, represents that he is authorized to sign on behalf of Petitioner/Assignee.

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7124.015 Second Terminal Disclaimer.wpd

SDC Technologies, Inc. owns one hundred percent (100%) of the right, title and interest in and to any patent granted on **U.S. Patent No. 6,342,097, issued on January 20, 2002, assignment recorded on July 18, 2000, Reel 10924, Frames 294-300.**

The assignment documents relating to **U.S. Patent No. 6,342,097** have been reviewed and certified by Petitioner/Assignee and, to the best of Petitioner/Assignee's knowledge and belief, title is in the Petitioner/Assignee seeking to take this action.

Petitioner/Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the earlier of the full statutory term defined in 35 U.S.C. § § 154-156 and 173, and of the term as presently shortened by any terminal disclaimers of said **U.S. Patent No. 6,342,097.**

Petitioner/Assignee further agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said **U.S. Patent No. 6,342,097.**

This agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner/Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to

the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173, and of the term as presently shortened by any terminal disclaimers of said **U.S. Patent No. 6,342,097** in the event that said **U.S. Patent No. 6,342,097** later: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise not deemed to provide the rights conveyed by 35 U.S.C. §§ 154-156 and 173 prior to the expiration of the full statutory term(s) as presently shortened by any terminal disclaimer(s), except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney or agent of record.

5-24-05  
(Date)

By: 

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